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## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

CASE NO. <u>CA05-11803</u>				
Shenia Dancy-Stewart PLAINTIFF		City of Boston et al DEFENDANT		
William Keefe		Helen Listas		
COUNSEL FOR PLAINTIFF			COUNSEL FOR DEFENDANT	
JUDGE Wolf	CLERK O'Leary	_	REPORTER Romanow	
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## **CLERK'S NOTES**

DATES:	Motion Hearing
5/14/08	Attorney Ed Masferrer for the witness Maria DeRosa. Court starts without Attorney Dilday for Carlos
	Fernandez who has yet to arrive. Court goes over the procedural history with the parties. Attorney Masfaerrer informs the court that he did not receive a copy of the court's order dated May 6, 2008. Attorney Masferrer
	also informs the court that he did not inform his client to be present at the hearing today until today. Court
	notes that attorneyDilday has arrived at 3:20 pm. Attorney Listas reviews the papers sent to attorney
	Masferrer and confirms that a copy of the court's order was not included in the packet he brought to the court.
	Court finds that it Ms. DeRosa did not recevie adequate notice of the order requiring her appearance today
	on the present record. Court marks the documents presented by Attorney Masferrer as exhibits 1 and 2.
	Defendants will have to go without DeRosa's testimony. Court orders defense counsel to file a motion to
	reconsider by May 15, 2008 with the supporting documents. Court turns it focus to Mr. Fernandez and whether
	criminal contempt charges should be instituted. Court ends the civil contempt proceedings as to Mr. Fernandez
	but reserves ruling on whether criminal contempt proceedings should be instituted until after the trial. Court
	warns the witness that should he fail to appear for trial if subpoenaed the court will institute criminal
	contempt proceedings. Court continues Attorney Dilday's representation of Mr. Fernandez.